vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.855 OF 2005
IN
SUMMARY SUIT NO.1351 OF 2000

S.P. Capital Financing Ltd. ... Plaintiff

V/s.

Simplex Enterprises & Ors. ... Defendants

Mr.P.S. Shah for Plaintiff
None for Defendants

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JUNE 20, 2006**

P.C.:

. The Present Motion has been taken out for placing on board Summary Suit No.1351 of 2000 for an ex-parte decree. Leave to defend the summary suit was granted when the Summons for Judgement was heard on 20.11.2002. The Court had directed the Defendants to deposit an amount of Rs.30 lacs after deducting the amount of Rs.2,45,000/-. It appears that this amount has not been deposited within the stipulated time and, therefore, the Plaintiff is seeking the relief of ex-parte decree. Non-deposit certificate has already been issued to the Plaintiff. Hence, Notice of Motion is made absolute in terms of prayer clause (a).